

**WILLMAR CITY COUNCIL PROCEEDINGS**  
**BOARD ROOM**  
**HEALTH AND HUMAN SERVICES BUILDING**  
**WILLMAR, MINNESOTA**  
**ALSO AVAILABLE BY ELECTRONIC MEANS FOR REMOTE COUNCIL MEMBERS**

January 23, 2023  
6:30 p.m.

The regular meeting of the Willmar City Council was called to order by Mayor Douglas Reese. Members present on a roll call were Mayor Douglas Reese, Council Members Audrey Nelsen, Vicki Davis, Carl Shuldes, Michael O'Brien, Thomas Butterfield, Julie Asmus and Rick Fagerlie. Present 8, Absent 1. Council Member Justin Ask was excused from the meeting.

Also present were City Administrator Leslie Valiant, City Operations Director Kyle Box, Police Chief Jim Felt, Finance Director Steve Okins, Fire Chief Frank Hanson, Parks and Recreation Director Rob Baumgarn, Planning and Development Services Director Justice Walker, Public Works Director Gary Manzer, Human Resource Director LuAnn Sietsema, City Clerk Judy Thompson and Attorney Nicolas Lira Lisle.

There were no additions or deletions to the agenda.

Council Member Nelsen moved to approve the agenda. Council Member Fagerlie seconded the motion, which carried unanimously.

City Clerk Thompson reviewed the consent agenda.

- A. City Council Minutes of January 9, 2023
- B. Willmar Municipal Utilities Commission Minutes of January 9, 2023
- C. Willmar Sertoma Club Lawful Gambling Application
- D. Civic Center Arena Special Event for an On-Sale Liquor License Holder Permit-Spurs Corporation
- E. Willmar Fests, Inc. Lawful Gambling Application
- F. New Appointments to Boards/Commissions
- G. Reappointments to Boards/Commissions
- H. Accounts Payable Report

Information: Planning Commission Applicant - Christopher Buzzeo

Council Member Fagerlie offered a motion to approve the consent agenda. Council Member O'Brien seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

There was no one present to speak during the Open Forum.

Attorney Lisle presented a request to introduce an ordinance amending Chapter 3, of the Willmar Municipal Code and set a public hearing for February 6, 2023.

Following discussion, Council Member Fagerlie **introduced an ordinance Amending Willmar Municipal Code, Chapter 3, Alcoholic Beverages** and set the public hearing for February 6, 2023. Council Member Nelsen seconded the motion, which carried.

Planning and Development Services Director Walker presented a request to approve an agreement with Martinez Geospatial for \$5,500 for the purpose of digitizing the Willmar Auditorium façade and war memorial room.

Following discussion, **Resolution No. 2023-013 Martinez Geospatial Photogrammetry Services** was introduced by Council Member Davis. Council Member O'Brien seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

City Operations Director Box and Information Systems Coordinator Jonah Johnson presented a request to approve the one-time purchase of network infrastructure equipment for several City departments/buildings from Tech Check using ARPA funds.

Following discussion, **Resolution No. 2023-014 Authorizing Execution of a Contract with Tech Check** was introduced by Council Member Shuldes. Council Member Davis seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

Parks and Recreation Director Baumgarn presented a request to approve the application for the 2023 Department of Natural Resources Trail Grant for the Glacial Lakes Trailhead. If approved, the City could receive up to \$187,500 to go towards improvements to the Glacial Lakes Trailhead. The City would need to match 25 percent (25%) of the given funds, up to \$62,500, which has already been allocated in the Parks and Recreation CIP budget.

Following discussion, **Resolution No. 2023-015 Approving the Application for the 2023 Department of Natural Resources Grant Application** was introduced by Council Member Fagerlie. Council Member Nelsen seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

City Clerk Thompson acknowledged the donations received by the City for the fourth quarter of 2022.

**Resolution No. 2023-016 Acknowledgement of Donations** was introduced by Council Member Fagerlie. Council Member Nelsen seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

City Administrator Valiant presented a request to approve staff to submit a grant application to Age-Friendly MN Grant Program and supporting the Age-Friendly Minnesota Community Grant up to \$99,000.

Following discussion, **Resolution No. 2023-017 Authorize Age-Friendly Minnesota Community Grant** was introduced by Council Member Nelsen. Council Member Davis seconded the motion, which carried on a roll call vote of Ayes 5, Noes 2. Council Members Butterfield and O'Brien voted "no".

City Administrator Valiant presented a request to accept National Fitness Court Grant of \$70,000 for the construction of the outdoor fitness court/studio, and to approve Administration and Recreation Director to sign agreements.

Following discussion, **Resolution No. 2023-018 Approve to Adopt and Allocated Funds for An Outdoor Fitness Court as Part of the 2023 National Fitness Campaign** was introduced by Council Member Nelsen. Council Member Davis seconded the motion, which carried on a roll call vote of Ayes 5, Noes 2. Council Members Butterfield and O'Brien voted "no".

At 7:14 p.m. upon motion by Council Member Nelsen and seconded by Council Member Fagerlie, the Council entered into closed session pursuant to Statute 13D.05, Subd. 3(b) related to pending litigation – City of Willmar vs. Nicole Wortham and Public Employees Retirement Association of Minnesota.

At 7:51p.m. Council returned to open session.

Council Member Butterfield offered a motion to approve the Settlement and Release Agreement between the City and Nicole Wortham and to authorize the Mayor and City Administrator to execute the Agreement. Council Member O'Brien seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

Council Member Butterfield offered a motion to adjourn the meeting, with Council Member O'Brien seconding the motion, which carried. The meeting adjourned at 7:53p.m.

/s/ Douglas Reese  
MAYOR

Attest:

/s/ Judy Thompson  
SECRETARY TO THE COUNCIL

**RESOLUTION NO. 2023-013**

**MARTINEZ GEOSPATIAL PHOTOGRAMMETRY SERVICES**

Motion By: Davis Second By: O'Brien

BE IT RESOLVED by the City Council of the City of Willmar to authorize the Mayor and Administrator to direct staff to enter into a contract with Martinez Geospatial for Photogrammetry Services in the amount of \$5,500.

Dated this 23rd day of January, 2023

/s/ Douglas Reese  
Mayor

Attest:

/s/ Judy Thompson  
City Clerk

**RESOLUTION NO. 2023-014**

**RESOLUTION AUTHORIZING EXECUTION OF  
A CONTRACT WITH TECH CHECK**

Motion By: Shuldes Second By: Davis

BE IT RESOLVED by the City Council of the City of Willmar that the quote from Tech Check for network infrastructure equipment in the amount of \$95,937.32 is accepted.

BE IT FURTHER RESOLVED THAT the City Council of the City of Willmar authorize the use of American Rescue Plan Act (ARPA) funds for this one-time purchase for long-lasting improvements to city infrastructure.

The Mayor and City Administrator are authorized to execute this agreement and any amendments on behalf of the City of Willmar.

Dated this 23<sup>rd</sup> day of January 2023

/s/ Douglas Reese  
MAYOR

Attest:

/s/ Judy Thompson  
CITY CLERK

**RESOLUTION NO. 2023-015**

**A RESOLUTION APPROVING THE APPLICATION FOR THE 2023 DEPARTMENT OF NATURAL  
RESOURCES GRANT APPLICATION**

Motion By: Fagerlie

Second By: Nelsen

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, that the Mayor and City Administrator of the City of Willmar are hereby authorized to approve the application for the 2023 Department of Natural Resources Grant Application.

WHEREAS, the City of Willmar recognizes that it has secured \$62,500 in non-state cash matching funds for this project.

NOW, THEREFORE, BE IT RESOLVED, if the City of Willmar is awarded by the Minnesota Department of Natural Resources, the City of Willmar agrees to accept the grant award and may enter into an agreement with the State of Minnesota for the above-referenced project. The City of Willmar will comply with all applicable laws, environmental requirements, and regulations as stated in the grant agreement, and

BE IT FURTHER RESOLVED that the application has read the Conflict of Interest Policy contained in the Regional Trail Grant Manual and certifies it will report actual, potential, perceived or organizational conflicts of interest upon discovery to the state related to the application or grant award.

BE IT FURTHER RESOLVED, the City Council of the City of Willmar names the fiscal agent for the City of Willmar for this project as:

Steve Okins  
Director of Finance  
City of Willmar  
333 6<sup>th</sup> St SW  
Willmar, MN 56201

BE IT FURTHER RESOLVED, the City of Willmar hereby assumes the Civic Center Trailhead will be maintained for a period of no less than 20 years.

Dated this 23rd Day of January 2023

/s/ Douglas Reese  
Mayor

Attest:

/s/ Judy Thompson  
City Clerk

**RESOLUTION NO. 2023-016**

**ACKNOWLEDGEMENT OF DONATIONS**

Motion By: Fagerlie Second By: Nelsen

WHEREAS, the City of Willmar has received donations which have been acknowledged by the City Administrator expressing the community's appreciation for the time period of October 1, 2022 through December 31, 2022.

\$ 500.00	Beverly Falk	Willmar Fire Department
\$ 3,000.00	Walmart - Willmar	Willmar Police Explorers/ Shop with a Cop
\$ 500.00	Ryane Clark Family	Willmar Police Explorers
\$ 500.00	Paradigm Liaison Services, LLC	Willmar Police Explorers
\$ 500.00	Paradigm Liaison Services, LLC	Community Emergency Response Team
\$ 50.00	Miriam Goldfein	Willmar Parks and Recreation, Northside Park, In memory of Don Vossen
\$ 100.00	Michele Stevens	Willmar Parks and Recreation, Northside Park, In memory of Don Vossen
\$ 50.00	Joan Filson	Willmar Parks and Recreation, Northside Park, In memory of Don Vossen
\$ 50.00	Jeffrey and Teresa Henn Trust	Willmar Parks and Recreation, Northside Park, In memory of Don Vossen
\$ 25.00	Scott and RaNae Kleist	Willmar Parks and Recreation, Northside Park, In memory of Don Vossen
\$ 800.00	Michele and Robert Martin	Willmar Parks and Recreation, Northside Park, In memory of Don Vossen
\$ 50.00	Larry Rice	Willmar Parks and Recreation, Northside Park, In memory of Don Vossen
\$ 50.00	Paul and Carol Westberg	Willmar Parks and Recreation, Northside Park, In memory of Don Vossen
\$ 754.41	Nancy Manning, BorothyVon Holtum, Marvena Agnew	Parks and Recreation, Memorial Bench

NOW, THEREFORE, BE IT RESOLVED by the City Council of Willmar, Minnesota that the City formally accept the donations as listed below:

Dated this 23<sup>rd</sup> day of January, 2023.

/s/ Douglas Reese  
Mayor

Attest:

/s/ Judy Thompson  
City Clerk

**RESOLUTION NO. 2023-017**

**AUTHORIZE AGE-FRIENDLY MINNESOTA COMMUNITY GRANT**

Motion By: Nelsen

Second By: Davis

BE IT RESOLVED by the City Council of the City of Willmar to authorize Administration to apply for the Age-Friendly Minnesota Community Grant up to \$99,000.

Dated this 23<sup>rd</sup> of January 2023

/s/ Douglas Reese  
Mayor

Attest:

/s/ Judy Thompson  
City Clerk

**RESOLUTION NO. 2023-018**

**APPROVE TO ADOPT AND ALLOCATED FUNDS FOR AN OUTDOOR FITNESS COURT® AS PART OF THE 2023 NATIONAL FITNESS CAMPAIGN**

Motion By: Nelsen

Second By: Davis

WHEREAS, the City of Willmar has submitted a Grant Application to National Fitness Campaign (NFC) for participation in their 2023 initiative to install and activate outdoor Fitness Courts® in 200 cities and schools across the country, and;

WHEREAS, the City of Willmar will accept a \$70,000 National Grant from our NFC Grant Committee and Statewide Partners, and provide a local match in the amount of [Match Amount Approved by NFC Grants Committee] to promote and implement a free-to-the-public outdoor Fitness Court®, and;

WHEREAS, the City of Willmar will secure supplemental funding as needed through community sponsors, which will be made available and committed to this program for the purchase of the outdoor Fitness Court®, and;

WHEREAS, the City of Willmar will commit to construction and launch of the outdoor Fitness Court® by the end of the 2023 calendar year, and;

WHEREAS, the Willmar City Council believes the outdoor Fitness Court® is an important wellness ecosystem that supports healthier communities, commits to funding/fundraising to participate in NFC's 2023 Campaign, and will earn local and national recognition as a leader in providing affordable health and wellness.

BE IT RESOLVED by the City Council of the City of Willmar to authorize Administration to accept National Fitness Court ® grant of \$70,000.

Dated this 23<sup>rd</sup> of January 2023

/s/ Douglas Reese  
Mayor

Attest:

/s/ Judy Thompson  
City Clerk